

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ANNA P. DALTON,

Plaintiff,

vs.

JO ANNE B. BARNHART,
Commissioner of Social
Security,

Defendant.

No. CV-04-0476-MWL

ORDER GRANTING JOINT
MOTION FOR STIPULATED
ORDER OF REMAND

The parties have filed a joint motion seeking a stipulated order remanding the case to the Commissioner for further administrative proceedings. After considering the motion,

IT IS ORDERED that the above-captioned case is remanded for further administrative proceedings. Upon remand, the Administrative Law Judge (ALJ) will:

1. reassess whether plaintiff has a severe mental impairment, taking into account all medical source opinions, "other" source opinions, and lay evidence;

2. address the additional evidence submitted to the Appeals Council;

3. reassess plaintiff's credibility considering lay testimony and providing reasons if lay testimony is rejected;

4. evaluate plaintiff's drug addiction and alcohol abuse in

1 accordance with established procedures; and

2 5. obtain supplemental vocational expert testimony, if
3 warranted. If warranted and necessary, the ALJ will obtain
4 medical expert testimony to resolve any conflicts in the record
5 regarding the severity of Plaintiff's mental disorder.

6 This Court reverses the Commissioner's decision under
7 sentence four of 42 U.S.C. §405(g) with a remand of the cause to
8 the Commissioner for further proceedings. *See Melkonyan v.*
9 *Sullivan*, 501 U.S. 89 (1991).

10 The District Court Executive is directed to enter judgment
11 for the plaintiff and **CLOSE** the file.

12 DATED this 6th day of September, 2005.

13 s/ Michael W. Leavitt

14 MICHAEL W. LEAVITT
15 UNITED STATES MAGISTRATE JUDGE

16 Presented by:

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